

JS 44 (Rev. 12/07) (and rev 1-08)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO OF THE FORM.)

I. (a) PLAINTIFF ALEJANDRO MOYA		DEFENDANT CHASE BANK USA, N.A.	
(b) County of Residence of First Listed Plaintiff San Mateo (EXCEPT IN U.S. PLAINTIFF CASES)		County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.	
(c) Attorney's (Firm Name, Address, and Telephone Number) Irving L. Berg THE BERG LAW GROUP 145 Town Center, PMB 493, Corte Madera, CA 94925 Tel: (415) 924-0742; Fax: (415) 891-8208		Attorneys (If Known) George G. Weickhardt (SBN 58586); Wendy C. Krog (SBN 257010) ROPERS MAJESKI KOHN & BENTLEY 201 Spear Street, Suite 1000, San Francisco, CA 94105 Tel: (415) 543-4800; Fax: (415) 972-6301	

BASIS OF JURISDICTION (Place an "X" in One Box Only)		III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)			
<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)	Citizen of This State	<input type="checkbox"/> 1 PTF	<input type="checkbox"/> 1 DEF	Incorporated or Principal Place of Business In This State.
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	Citizen of Another State	<input type="checkbox"/> 2 PTF	<input type="checkbox"/> 2 DEF	Incorporated and Principal Place of Business In Another State
		Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 PTF	<input type="checkbox"/> 3 DEF	Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)					
CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury — Med. Malpractice <input type="checkbox"/> 365 Personal Injury — Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input checked="" type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Ports to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	
			IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN (Place an "X" in One Box Only)						
<input type="checkbox"/> 1 Original Proceeding	<input checked="" type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION	Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. § 1441(a); 15 U.S.C. § 1692, et seq. Brief description of cause: Plaintiff alleges violations of the Federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq.
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VII. REQUESTED IN COMPLAINT:	<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23	DEMAND \$	CHECK YES only if demanded in complaint: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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VIII. RELATED CASE(S) IF ANY	PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE "NOTICE OF RELATED CASE".
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IX. DIVISIONAL ASSIGNMENT (CIVIL L.R. 3-2) (PLACE AND "X" IN ONE BOX ONLY)	<input checked="" type="checkbox"/> SAN FRANCISCO/OAKLAND	<input type="checkbox"/> SAN JOSE
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DATE August 27, 2008	SIGNATURE OF ATTORNEY OF RECORD Wendy C. Krog, Attorney for Defendant
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ORIGINAL

VIA FAX

Ropers Majeski Kohn & Bentley
A Professional Corporation
San Francisco

1 GEORGE G. WEICKHARDT (SBN 58586)
2 WENDY C. KROG (SBN 257010)
3 ROPERS, MAJESKI, KOHN & BENTLEY
4 201 Spear Street, Suite 1000
5 San Francisco, CA 94105
6 Telephone: (415) 543-4800
7 Facsimile: (415) 972-6301
8 Email: gweickhardt@rmkb.com
9 wkrog@rmkb.com

10 Attorneys for Defendant
11 CHASE BANK USA, N.A., erroneously sued herein
12 as Chase Cardmember Service

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 ALEJANDRO MOYA, an individual,
17 Plaintiff,

18 v.

19 CHASE CARDMEMBER SERVICE, a
20 division of CHASE BANK USA, N.A.,
21 Defendants.

CV 08

CASE NO.

BZ

4097

NOTICE OF REMOVAL OF CIVIL
ACTION FROM STATE COURT TO
UNITED STATES DISTRICT COURT,
NORTHERN DISTRICT OF
CALIFORNIA

22 TO THE JUDGES OF THE UNITED STATES DISTRICT COURT, NORTHERN
23 DISTRICT OF CALIFORNIA, AND TO ALL PARTIES AND THEIR ATTORNEYS
24 HEREIN:

25 PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §1441(a), defendant CHASE
26 BANK USA, N.A., erroneously sued herein as Chase Cardmember Service, a national banking
27 association, hereby removes the above-entitled action from the Superior Court of the State of
28 California in and for the County of San Mateo to the United States District Court for the Northern
District of California, based on the following facts:

1. On or about August 1, 2008, plaintiff filed an action in the Superior Court of the
State of California for the County of San Mateo, entitled *Alejandro Moya, plaintiff, v. Chase*

1 *Cardmember Service, defendant*, action number CLJ 475176 ("the Action"). A copy of the
2 original complaint is attached hereto as Exhibit A.

3 2. The Action alleges violations of the California and Federal Fair Debt Collection
4 Practices Act in relation to a debt owed on a credit card account issued by Chase to plaintiff.

5 3. Plaintiff alleges that he retained attorney Irving L. Berg to assist him with creditors
6 and collectors. The complaint alleges that on March 8, 2008, Berg sent Chase a letter advising of
7 his representation and that after receiving the representation letter, Chase sent a "collection letter"
8 to plaintiff. Plaintiff alleges that the "collection letter" was sent in violation of the California and
9 Federal Fair Debt Collection Practices Acts.

10 4. This Action is a case under which this Court has original jurisdiction under 28
11 U.S.C. §1331, and is one which may be removed to this Court by Chase pursuant to the
12 provisions of 28 U.S.C. §1441(a), in that the claims in this action arise under the Federal Fair
13 Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.*

14 5. Plaintiff alleges violation of the Federal Fair Debt Collection Practice Act in
15 several paragraphs of his complaint, including the following:

- 16 a. Paragraph 1: "The Federal law is at 15 U.S.C. § 1692 et seq. ("FDCPA")."
- 17 b. Paragraph 22: "Chase willfully and knowingly violated the ... FDCPA."
- 18 c. Prayer, Paragraph A: "Statutory damages against Chase ... pursuant to ...
19 15 U.S.C. § 1692k."
- 20 d. Prayer, Paragraph B: "Attorney's fees and litigation expenses as provided
21 by ... 15 U.S.C. § 1692k(a)."

22 6. Chase was served with the summons and complaint on August 8, 2008. Therefore,
23 this Notice of Removal is being filed within 30 days after service upon Chase of a copy of the
24 initial pleading setting forth the claim for relief upon which such action or proceeding is based,
25 pursuant to 28 U.S.C. § 1446(b). A copy of the summons is attached hereto as Exhibit B.

26 7. For the reasons stated above, defendant Chase Bank USA, N.A. hereby removes
27 the above-entitled action.
28

1 Dated: August 27, 2008

Respectfully submitted,

2 ROPERS, MAJESKI, KOHN & BENTLEY

3
4 By: 

5 GEORGE G. WEICKHARDT

6 WENDY C. KROG

7 Attorneys for Defendant

8 CHASE BANK USA, N.A., erroneously
9 sued herein as Chase Cardmember Service

10 Ropers Majeski Kohn & Bentley
11 A Professional Corporation
12 San Francisco
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1 Irving L. Berg (SBN 36273)
2 THE BERG LAW GROUP
3 145 Town Center, PMB 493
4 Corte Madera, California 94925
(415) 924-0742
(415) 891-8208 (Fax)
irvberg@comcast.net (e-mail)

5 ATTORNEY FOR PLAINTIFF

ENDORSED FILED
SAN MATEO COUNTY

AUG 01 2008

Clerk of the Superior Court
By R. Montgomery
DEPUTY CLERK

6 SUPERIOR COURT OF CALIFORNIA

7 COUNTY OF SAN MATEO

8 LIMITED JURISDICTION

9 ALEJANDRO MOYA, an individual,

Case No.: **CLJ 475176**

10 Plaintiff,

COMPLAINT FOR DAMAGES

11 v.

JURY DEMAND

12 CHASE CARDMEMBER SERVICE, a
13 division of CHASE BANK USA, N.A.,

14 Defendants.

15 **I. INTRODUCTION**

16 1. Plaintiff brings this lawsuit to seek redress for Defendants' violation of the
17 California and Federal Fair Debt Collection Practices law. The California law is at Cal. Civ.
18 Code § 1788 et seq. ("CA FDCPA"). The Federal law is at 15 U.S.C. § 1692 et seq. ("FDCPA").

19 2. Defendants are debt collectors under the provisions of Cal. Civ. Code § 1788.2(c),
20 which provides:

21 (c) The term "debt collector" means any person who, in the
22 ordinary course of business, regularly, on behalf of himself or
23 herself or others, engages in debt collection.

24 3. California law incorporates provisions of Federal law pursuant to Cal. Civ. Code
25 § 1788.17, which provides:

26 ...that every debt collector collecting or attempting to collect a
27 consumer debt shall comply with the provisions of sections
28 1692b to 1692j...of Title 15 of the United States Code.

4. Plaintiff seeks statutory damages, attorney's fees, and court costs.

1 **II. JURISDICTION AND VENUE**

2 5. Jurisdiction in this court is conferred by 15 U.S.C. § 1692k(d), and Cal. Code Civ.
3 Proc. §§ 86 and 410.10.

4 6. Venue is proper in this court because Plaintiff resides in this county, Defendants
5 do business in this county, and the collection communications were received in this county.

6 **III. PARTIES**

7 7. Plaintiff, ALEJANDRO MOYA ("Plaintiff" or "Mr. Moya") is a resident of Daly
8 City, California. He is a citizen of this state.

9 8. Defendant CHASE CARDMEMBER SERVICE, a division of CHASE BANK
10 USA, N.A. ("Defendant" or "Chase") is a bank that, as part of its business, issues consumer
11 credit cards, under the name of Chase Cardmember Service. Its principal office is located at
12 Chase Bank USA, N.A., 200 White Clay Center Drive, Newark, DE 19711. It is amenable to
13 service on a corporate officer at this address.

14 9. Defendant Chase, in the ordinary course of its business, regularly, on behalf of
15 itself, engages in debt collection and is a "debt collector" as defined by Cal. Civ. Code §§
16 1788.2(c) and (g).

17 **IV. FACTUAL ALLEGATIONS**

18 10. Plaintiff was the holder of a credit card issued by the Defendant.

19 11. The card issued to Plaintiff is identified by the following last 4 digits of the credit
20 card: 3150.

21 12. Plaintiff used the card to acquire, on credit, goods and services for Plaintiff's
22 personal, family, and household needs.

23 13. Plaintiff defaulted in payment on the credit card account because of financial
24 setbacks and increasing interest charges and late fees.

25 14. Plaintiff was worried over making payments on the Chase credit card and other
26 credit card accounts.

27 15. Plaintiff was frightened by aggressive and persistent collection callers.

28 16. Plaintiff sought relief from her serious financial circumstances by enlisting the aid

1 of an attorney.

2 17. Plaintiff retained Irving L. Berg to represent her in dealing with her creditors and
3 collectors.

4 18. Plaintiff was advised by her attorney that calls and correspondence from her
5 creditors and collectors should be referred to her attorney and that the law required that, upon
6 notice of attorney representation, creditors and collectors are required to leave her alone and to
7 deal only with her legal representative.

8 19. By a letter dated March 8, 2008 (Exhibit A), Defendant was notified that Plaintiff
9 was represented by attorney Irving L. Berg.

10 20. The letter stated, *inter alia*:

11 I am the attorney for the consumer noted above. You are
12 advised to direct all communications to my office in connection
13 with the collection of any debt allegedly owed by my client to
your company or your client; related companies; or companies
to whom the debt is assigned or sold.

14 A copy of the letter is attached as Exhibit A.

15 21. Notwithstanding the attorney's letter of representation, Defendant sent a
16 collection letter directly to Plaintiff for the period ending April 12, 2008, referring Plaintiff to
17 Defendant's collection department at 1-800-955-8030 ("Visa Signature Summary" section, at
18 paragraph 2). A copy of the letter is attached as Exhibit B.

19 22. Chase willfully and knowingly violated the CA FDCPA and the FDCPA.

20 V. FIRST CAUSE OF ACTION

21 23. Plaintiff incorporates by reference all of the foregoing paragraphs.

22 24. Defendants violate the following sections of the FDCPA, incorporated into
23 California law by Cal. Civ. Code § 1788.17;

24 Communicating with the consumer when the debt collector:

25 ...knows the consumer is represented by an attorney with
26 respect to such debt and has knowledge of, or can readily
ascertain, such attorney's name and address...

27 (Violation of 15 U.S.C. § 16592(c)(a)(2).)

VII. SECOND CAUSE OF ACTION

25. Defendants violate the following section of the California FDCPA:

1788.14, No debt collector shall collect or attempt to collect a consumer debt by means of the following practices:


(c) Initiating communications, other than statements of account, with the debtor with regard to the consumer debt, when the debt collector has been previously notified in writing by the debtor's attorney that the debtor is represented by such attorney with respect to the consumer debt and such notice includes the attorney's name and address and a request by such attorney that all communications regarding the consumer debt be addressed to such attorney...

VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for the following relief:

- A. Statutory damages against Chase of \$2,000, pursuant to Cal. Civ. Code §§ 1788.17 and 1788.30, and 15 U.S.C. § 1692k;
- B. Attorney's fees and litigation expenses as provided by Cal. Civ. Code § 1788.32 and 15 U.S.C. § 1692k(a).

Dated: 7.25.08


Irving L. Berg
THE BERG LAW GROUP
145 Town Center, PMB 493
Corte Madera, California 94925
(415) 924-0742
(415) 891-8208 (Fax)

ATTORNEY FOR PLAINTIFF

JURY DEMAND

Plaintiff demands trial by jury.

Dated: 7.25.08


Irving L. Berg

THE BERG LAW GROUP
ATTORNEYS AND COUNSELORS AT LAW
145 Town Center, PMB 493
Corte Madera, California 94925
Phone: (415) 924-0742 Fax: (415) 891-8208
e-mail: irvberg@comcast.net

IRVING L. BERG, ESQ.

March 8, 2008

Chase Card Services
P. O. Box 15298
Wilmington, DE 19850-5298

Re: *Alejandro L. Moya*
Account No.: xxxx3150
Alleged Creditor: Chase Cardmember Service

Notice of Attorney Representation and
Notice of Dispute

Dear Sir or Madam:

I am the attorney for the consumer noted above. You are advised to direct all communications to my office in connection with the collection of any debt allegedly owed by my client to your company or your client; related companies; or companies to whom the debt is assigned or sold.

Please address all inquiries to my attention in writing. The captioned debt is disputed. Please forward verification of the debt. In the unlikely event that the legal relationship with my client is terminated, you will be notified in writing.

Your collection practices are governed by Federal and California consumer laws. If you have any doubt as to these matters, deliver this letter to your attorney or insurance carrier. **The law prohibits you from contacting my client, my client's employer, or my client's family regarding the alleged debts.**

Further, please note that, should a legal action be brought against you in connection with your collection practices, the legal action could result in a judgment that would include actual costs of filing the complaint, actual costs of service of process, and reasonable attorney's fees.

Your co-operation is appreciated

Sincerely,

Irving L. Berg
ILB/r

EXHIBIT B

New Balance \$7,521.76 Pr nt Due Date 05/07/08 Past Due Amount \$677.00 Minimum Payment \$874.00



Amount Enclosed \$

Make your check payable to Chase Card Services.
New address or e-mail? Print on back.

414720202238315000067400007521760000009

31524 BEX 210008 D
ALEJANDRO MOYA
315 MORTON DR
DALY CITY CA 94015-4447



CARDMEMBER SERVICE
PO BOX 84014
PALATINE IL 60094-4014



:500016028: 35920223831505



Opening/Closing Date
Payment Due Date

03/13/08 - 04/12/08
05/07/08

CUSTOMER SERVICE

In U.S. 1-800-945-2000
Español 1-888-448-3308
TDD 1-800-956-8000
Pay by phone 1-800-438-7958
Outside U.S. call collect 1-302-694-8200

Minimum Payment Due for Credit Access Line \$297.00
Past Due Amount \$677.00
Total Minimum Payment Due \$874.00

ACCOUNT INQUIRIES

P.O. Box 15298
Wilmington, DE 19850-5288

VISA SIGNATURE SUMMARY

Account Number 4147 2020 2238 3150

PAYMENT ADDRESS

P.O. Box 84014
Palatine, IL 60094-4014

Previous Balance \$7,289.08
Purchases/Cash Debit \$598.00
Finance Charges \$163.68
New Balance \$7,521.76

Credit Access Line \$3,500
Available Credit \$376
Cash Access Line \$3,700
Available for Cash \$0

VISIT US AT
www.chase.com/creditcards

Your credit card account is past due. Please send payment immediately. Call 1-800-956-8000 (collect 1-302-694-8200) today.

Your account is closed. Please continue to make monthly payments by the due date until your balance is paid in full.

FLEXIBLE REWARDS SUMMARY

Previous points balance 0
Points earned on purchases this period 0
New total points balance 0

To redeem your Flexible Rewards points, call 1-800-603-2265 or log on to www.chase.com/creditcards for 24-hour access to your rewards program.

TRANSACTIONS

Date	Reference Number	Merchant Name or Transaction Description	Amount
			Credit Debit
04/06		LATE FEE	\$39.00

FINANCE CHARGES

Category	Daily Periodic Rate	Comp. APR	Average Daily Balance	Finance Charge Due To Periodic Rate	Transaction Fee	Accumulated Fin. Charge	FINANCE CHARGES
Purchases	V .08011%	29.24%	\$105.22	\$2.81	\$0.00	\$0.80	\$2.81
Cash advances	V .08011%	29.24%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

The Berg Law Group
Attorneys and Counselors at Law
145 Town Center Drive
Corte Madera, CA 94925

1083

7008 0150 0002 5853 6575



CERTIFIED MAIL

\$4.80⁹
US POSTAGE
PRIORITY MAIL
071V00643481
94925
000067035



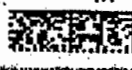
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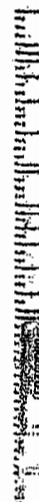
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SUM-100

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

CHASE CARDMEMBER SERVICE, a division of CHASE BANK
USA, N.A.

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):
ALEJANDRO MOYA, an individual

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

ENDORSED FILED
SAN MATEO COUNTY

AUG 01 2008

Clerk of the Superior Court
By R. Montgomery
DEPUTY CLERK

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form. If you want the court to hear your case, there may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.gov/selfhelp/espanol/), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.courtinfo.ca.gov/selfhelp/espanol/) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is:

(El nombre y dirección de la corte es):
Superior Court of California, County of San Mateo
Southern Branch - Limited Civil
400 County Center, Redwood City, CA 94063-1655

CASE NUMBER
(Número de caso): **CL 47 5176**

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Irving L. Berg, Attorney at Law, THE BERG LAW GROUP
145 Town Center, PMB 493, Corte Madera, CA 94925, (415) 924-0742

DATE:

(Fecha) **AUG 01 2008**

JOHN C. FITTON

Clerk, by

(Secretario)

R. MONTGOMERY

Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):
3. ☐ on behalf of (specify):

under: <input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> CCP 416.60 (minor)
<input type="checkbox"/> CCP 416.20 (defunct corporation)	<input type="checkbox"/> CCP 416.70 (conservatee)
<input type="checkbox"/> CCP 416.40 (association or partnership)	<input type="checkbox"/> CCP 416.90 (authorized person)
<input type="checkbox"/> other (specify):	
4. ☐ by personal delivery on (date):

(SEAL)

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